REMARKS

Claims 1-4, 6-10, and 12-27 are pending in this application. In this Response, Applicant has amended certain claims. Claims 1, 16 and 22 have been amended. The Applicant respectfully provides the following remarks for consideration.

A.   Rejection under 35 U.S.C. § 101

The Examiner rejected claims 1-4, 6-10, and 12-27 because the claimed subject matter is directed to non-statutory subject matter.

The Applicant respectfully traverses this rejection for claims 1-4, 6-10 and 12-15. These claims are directed to a system that produces tangible results. Accordingly, the Applicant respectfully requests that the rejection is withdrawn.

Claims 16-27 have been amended to recite that the method is a computer implemented method. Accordingly, the rejection is believed to be overcome and withdrawal of the rejection is respectfully requested.

B.   Rejection under 35 U.S.C. § 112

The Examiner rejected claims1-4, 6-10 and 12-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distintly claim the subject matter which applicant regards as the invention.

The Applicant has amended claim 1 to provide antecedent basis for the limitation "database" and has removed recitation of the limitation "determined.' The rejection is believed to be overcome and withdrawal of the rejection is respectfully requested.

B.   Rejection under 35 U.S.C. § 103

In the Office Action, claims 1, 3, 6-8, 12 and 14 were rejected under 35 U.S.C. §102(b) as being obvious in view of U.S. Patent Publication 2002/0198798 by Ludwig et al. ("Ludwig"). Applicant submits that Ludwig does not disclose the present invention for the reasons that follow.

The present invention and Ludwig el al's modular business transactions platform are two totally different systems. The present invention is a web-based content, mostly document, management and distribution system, whereas Ludwig et al's business transactions platform describes a web-based payment and billing system. The present invention deals with mostly electronic documents/reports, whereas Ludwig et al's invention invoices. Invoices need to comply with certain standards ANSI X12 8 10 or in a plain text such as flat ASCII files or well formed XML schemas to allow exchange data or transaction between a biller's system and payer's system. The present invention is not a transaction or payment system. In general, The present invention is a specially designed Electronic Document Management System that is typically used to manage files that are created by other application, such as Word Application. These documents are not restricted to transcribed ones. These documents can be very complicated and do not need to follow any standards like invoices. At present, The present invention is used now to store, manage and distribute Radiology and their meta-information.

Ludwig does not disclose a central file system for storing a plurality of documents, each of said plurality of documents being stored said central file system based on at least in part on a respective status of said plurality of documents. In the present invention design, a central file system refers to a logically central storage area that is accessible by the application of the present invention. The central file system is divided into different portions and each portion of the central file system stores an electronic document based on its processing status. For instance, an electronic document that is being edited or reviewed is stored in an Edit folder or an image column in the Edit table in a SQL database server. An electronic document that is being reviewed or approved is stored in an Approved folder or an image column in the Approved table in a SQL database server. An electronic document that has gone through all process phases is stored in a Report folder or an image column in the Report table in a SQL database server. Further, a processed electronic document can be stored in either an active Report folder table or an inactive Report depending on how often the user needs to access to it.

In contrast, Ludwig's invoices are not stored in a folder in a file system, but instead invoices are broken down into elements and stored in a database. Ludwig et describes only how to select invoice and change the display of invoice in paragraph 008 1 ;and how to change the status of an invoice from Open to Closed and a Closed invoice may not be accessible, subject to archiving or purging in paragraph 0082; how to mark an invoice paid through another source and

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how to display invoices in paragraphs 0083; and how to perform adjustment for a biller's system and make the adjustment available to the system in 0097 paragraph. These paragraphs did not state or imply where and how an invoice is stored at all. Furthermore, an electronic document such as a radiology report needs to be processed in a way distinctively different from an invoice. Thus, where and how an electronic document is stored according to its process status and its possibility of the future use should be very different from an invoice.

Ludwig does not disclose a content indexing module operable to create an index of said plurality of documents in said central file system, wherein an index for document in the index of the plurality of document is at least a value associated with a predefined ascii pattern in the content of the document. The invoice of Ludwig has limited items, and is defined in a certain format and order. Therefore, the translation from a biller's accounting system format to a payer's accounting system format, as mentioned in Ludwig, only involves item position mapping between two formats, based on the order in which the items occur.

In contrast, the electronic documents of the present invention are more complicated, and the contents in different documents may occur in an order or not in any order, therefore all criteria that can help uniquely identify the contents, such as the string match, string position, string repeat pattern, document format, and like comma, period, end of line, paragraph mark et al, are all used to find the contents in the present invention. Ludwig et did not state what criteria they use to translate an invoice from a payer's accounting format to a biller's accounting format, and did not imply that the method of an invoice format translation can be applied to locating a needed content in any electronic document.

Ludwig does not disclose a document distribution module operable to distribute at least one of said plurality of documents to at least one of a plurality of determined recipients based at least in part on a preference of said at least one of said plurality of recipients stored in said database. Ludwig's invention deals with only two directly interacting entities, payer and biller. A payer has to register himself to the system in order to use the system. Therefore, notices of invoices may be automatically sent out to one or more payers, based on the correct and complete information provided by one to one match between an invoice and a payer is only an ideal and rare case for the present invention system. The present invention system has to provide several recipients address pairs for the people who handle report delivery, based on the best-match through searching the database. Thus, the present invention system provides not only an

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automatic report delivery function like Ludwig et invention but also a semi-automatic report delivery function in the case a recipient data is not complete on the radiology report. Since The present invention system needs to deal with multiple entities, referring physicians, patients, insurer, radiologist association, radiologists, and transcriptists.

Ludwig does not suggest storing a plurality of documents in only one of the at least two folders or storing documents in folders. Electronic documents can be related by various ways, by their categories, creation time and contents. The present invention stores electronic documents in different folders in a file system or different tables in a database based on their processing status. As the types of electronic documents increases, The present invention separates electronic documents by their processing status as well as their categories. Thus, a general deduction may not be appropriate.

Claims 3, 6-8, 12 and 14 depend from claim 1, and thus, are not taught for the same reasons discussed above with respect to claim 1.

The examiner rejected claims 9-10 under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. (U.S. Pub. 2002101 98798 Al) in view of Podhradsky (U.S. Patent No. 5,978,755 ("Podhradsky").

Claims 9 and 10 depend from claim 1. As discussed above Ludwig does not teach the invention of claim 1. Podhradsky does not cure the deficiencies of Ludwig nor does it teach claim 9. Podhradsky states at columns 14, line 61-67 that the additional designation record which provides information about the number of words in a dictation, can be used, for example when a dictation is transcribed or when a dictation has been completed, to bill for example the author of the dictation, the amount of the bill being based on the number of transcribed words, the number of words comprised in a dictation. Podhradsky's invention gets the number of words by the additional designation record in a dictation device from digitized speech signals, and thus, his invention can only be applied in transcribing dictation. The present invention gets the number of words by reading through strings in a document, counts letters, words or lines from any electronic document, not restricted to the one transcribed from a digitized dictation. Accordingly, the combination Ludwig and Podhradsky does not teach the invention of claim 9.

The modified invention of Ludwig et al. fails to teach claim 10. Ludwig et al's invention starts with loading invoices into the system, and not generating. See Ludwig, figures 1 and 4).

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Ludwig did not discuss or imply their system will generate invoices and charge users based on the number of invoices or in invoices the system processed at all. Therefore, it would not have been obvious to having ordinary skill in the art at the time the invention was made to provide for wherein said invoice is generated based at least in part on the number of lines in said at least one of said plurality of documents since it was known in the art that that charging for a unit of transcription of a document including words and lines of a text would enable a calculation based on the amount of text that has to be translated. the combination Ludwig and Podhradsky does not teach the invention of claim 10.

The Examiner rejected claims 2, 4, 15-22, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. (U.S. Pub. No. 200210198798 Al) in view of Lucas et al. (U.S. Pub. No. 200210143533 Al).

Claims 2, 4 and 15 depend from claim 1. As discussed above Ludwig does not teach the invention of claim 1. Lucas does not cure the deficiencies of Ludwig. Accordingly, the combination of Ludwig and Lucas does not teach the invention of claims 2, 4 and 15.

Moreover, Lucas does not teach wherein each of a selected plurality of said plurality of documents comprises a transcribed document as claimed in claim 2. The documents referred by Lucas are predefined document/form templates, not transcribed documents. See Lucas et al. page 1, paragraph 0006, also see Lucas et al. page 1, paragraph 0017. In Lucas et al's invention, a dictated speech is transcribed and then filled sequentially in the predefined fields in a selected document/form template to generate a complete document. Their templates may be organized but may not need to be routed. In their invention, they did not discuss the completed and transcribed documents or forms need to be routed as their statuses change from review, to approval, and distribution, and from active to inactive.

Claim 16 recites limitation similar to claim 1. As discussed above Ludwig does not teach storing a plurality of documents in a folder of a plurality of folders of a central file system. In addition, Ludwig discloses only how to allow a user to select invoices and display selected invoices for a user in paragraph 008 1; how to close selected invoices in paragraph 0082; and how to close an invoice that is paid through another source in 0083; and how to make adjustment for general, quantity, price, line item allowance, etc in paragraph 0097.

Ludwig also fails to teach creating a plurality of indexes indexing said plurality of

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documents, wherein each index in said plurality of indexes is at least a value associated with a predefined ascii pattern comprising at least one indexing field in the contents of the document. Ludwig discloses only converting invoice files from the biller's accounting system to the invoice loader format in paragraph 0036; allowing users manually to load selected invoice files or to control the automatic loading times of biller uploads in paragraph 0066; providing users display view options and search function in paragraph 0087; retrieving closed invoices and changing closed invoices to the open state in paragraph 0087; and allowing users to modify or select export templates or export files to export invoices data through populating the fields of the selected template setting areas by the system in paragraph 0088. As discussed above, an invoice has limited items, and is defined in a certain format and order. Therefore, the translation from a biller's accounting system format to a payer's accounting system format may only involve item position mapping between two formats, based on the order in which the items occur. In contrast, an electronic document can be more complicated, and the contents in different documents may occur in an order or not in any order, therefore all criteria that can help uniquely identify the contents, such as the string match, string position, string repeat pattern, document format, and like comma, period, end of line, paragraph mark et al, are all used to find the contents in the present invention. Ludwig et did not described what criteria they use to translate an invoice from a biller's accounting format to a payer's accounting format, and did not imply that the method of an invoice format translation can be applied to locating a needed content in any electronic document.

Ludwig also fail to disclose automatically recommending to a user a preferred method of distributing a document of said plurality of documents to a recipient based at least in part on a preference of said recipient. Ludwig discloses sending email-notice of a new invoice to a payer in paragraph 0038; making adjustment to invoices and sending invoices with notes in email; and setting or modifying payer's options, closing invoices and emailing in paragraph 0096. Ludwig only discloses one method of distributing an invoice or message. Accordingly, there is no need for a preferred method of distributing an electronic document. The present invention provides email, fax, web-site/ftp download and even hard copy mailing choices for users. Thus, users can select the preferred methods of distributing electronic documents for their recipients, and the present invention keeps the information for users.

Lucas does not cure the deficiencies of Ludwig. As discussed above, the document of Lucas referred to in paragraphs 0006 and 00 17 is a template or "a type of document or form that

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the user wishes to populate, or fill-in, with text." Accordingly, the combination of Ludwig and Lucas does not teach the invention of claim 16.

Claims 17-22, 26 and 27 depend from claim 16 and is not taught for at least the same reasons discussed above with respect to claim 16.

The Examiner rejected claims 23-25 under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. (U.S. Pub. No. 200210198798 Al) in view of Lucas et al. (U.S. Pub. No, 200210143533 Al), and further in view of Podhradsky (U.S. Patent No. 5978755 ("Podhradsky").
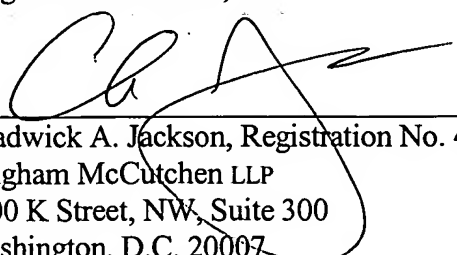
Claims 23-25 depend from claim 16. As discussed above, the combination of Ludwig and Lucas does not teach the invention of claim 16. Podhradsky does not cure the deficiencies of Ludwig and Lucas. Accordingly, the combination of Ludwig, Lucas and Podhradsky does not teach the invention of claims 23-25.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments still do not resolve all of the issues regarding patentability of the pending claims, Applicant invites the Examiner to contact the undersigned attorneys to discuss any remaining issues. A Petition for a two month Extension of Time is submitted herewith. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen, LLP Deposit Account No. 195127, Order No. 25241.0004.

Respectfully submitted,
Bingham McCutchen, LLP

Dated: ___March 23, 2006___   By: _____

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